

Application No. 09/585,444
Amendment Dated October 16, 2003
Reply to Office Action of July 16, 2003

Attorney Docket No. YHK-045

REMARKS

Claims 1-10, 12, 14, 15, 23, 27, 29, 30 and 32-37 are pending in this application. By this Amendment, claims 11, 24-26, 28 and 31 are canceled without prejudice or disclaimer of the subject matter therein, claim 27 is amended and new claims 32-37 are added. Support for new claims 32-37 can be found in the original claims and figures, for example, see claims 9, 15, 23 and 27-30. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Applicants gratefully acknowledge the Office Action's indication that claims 1-8, 15, 23 and 28 define patentable subject matter. However, for at least the reasons set forth above, Applicants respectfully submit that all pending claims are in condition for allowance.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the Amendment: 1) place the claims in condition for allowance (for the reasons discussed herein as well as the reasons discussed in the personal interview); 2) do not raise any new issues requiring further search and/or consideration; and/or 3) place the application in better form for appeal (if necessary). For example, claim 27 has been amended merely to incorporate dependent claim 28 for the sole purpose of expediting prosecution. Therefore, entry is requested.

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I. 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 24-26 and 31 under 35 U.S.C. § 112, first paragraph. Applicants respectfully submit that the above amendments obviate the grounds for the rejection. Withdrawal of the rejection is respectfully requested.

II. 35 U.S.C. §102(e)

The Office Action rejects claims 9-12 and 14 under 35 U.S.C. § 102(e) over Akiba (U.S. Patent No. 6,414,435). Since Akiba fails to disclose or suggest all of the features of the claims, the rejection is respectfully traversed.

Applicants respectfully submit that Akiba fails to disclose or suggest a dielectric pattern located between first and second electrodes for making an insulation between the first and second electrode, wherein the dielectric pattern is formed in a striped shape. See claim 9. Rather, Akiba discloses forming a dielectric layer 18a that does not entirely cover dielectric layer 16 that is an underlayer of dielectric layer 18a. See col. 18, lines 11-14. Further, a dielectric layer 60 covers a y electrode 17, a surrounding area of the y electrode 17 and the dielectric layer 18a. See col. 18, lines 14-16. Therefore, Akiba discloses that a dielectric layer 18a is part of dielectric layer 16 as it is an underlayer of dielectric layer 18a. Therefore, Akiba's dielectric layer 16/18 is a stepped shape single dielectric, which does not have a striped shape.

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For at least the reasons set forth above, Applicants respectfully submit that claim 9 is allowable. Claim 11 is canceled without prejudice or disclaimer of the subject matter therein, therefore the rejection is moot. Claims 10, 12, and 14 depend from claim 9, and are allowable for at least the same reasons, as well as their added features and the combinations thereof. Withdrawal of the rejection is respectfully requested.

III. 35 U.S.C. §102(b)

The Office Action rejects claims 27 and 30 under 35 U.S.C. § 102(b) over Kim et al. (U.S. Patent No. 4,999,541, hereinafter Kim). The rejection is respectfully traversed.

With respect to claim 27, Applicants respectfully submit that subject matter indicated to be allowable in claim 28 is incorporated into claim 27 for the sole purpose of expediting prosecution. Therefore, claim 27 defines patentable subject matter. Claim 30 depends from claim 27, and is allowable for at least the same reasons, as well as its added features and the combination thereof. Withdrawal of the rejection is respectfully requested.

IV. 35 U.S.C. §103(a)

The Office Action rejects claim 29 under 35 U.S.C. § 103(a) over Kim in view of Akiba. The rejection is respectfully traversed.

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Applicants respectfully submit that claim 27 is allowable for at least the reasons set forth above. Claim 29 depends from claim 27, therefore, claim 29 is allowable. Withdrawal of the rejection is respectfully requested.

V. New Claims

By this Amendment, claims 32-37 are added to the application. Entry of the newly added claims is proper under 37 C.F.R. §1.116 since claims 32 and 33 place the subject matter of claims 15 and 23 in independent form, respectively. Further, claim 34 corresponds to subject matter of previously presented claims 7 and 27 therefore any issues raised by new claim 34 have been previously considered.

Additionally, claims 35-37 correspond to previously presented claims 28-30. Therefore, entry of the new claims is proper since the amendments do not raise new issues and place the application in condition for allowance. Entry is thus requested.

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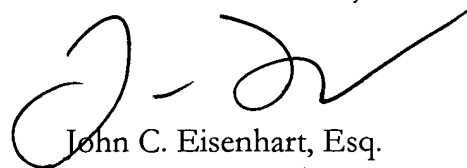
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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Laura L. Lee** at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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